

Summary of changes, draft isolation & quarantine rule

246-100-011 Definitions

- Subsection (7) — definition of “contaminated” change in response to ACLU comments that it is overly broad.
- Subsection (12) — definition of “disease of suspected bioterrorism origin” is removed since it is no longer used in this chapter.
- Subsection (19) — definition of local health officer expanded to include designee recognized by the local board of health.
- Subsection (25) — “who had opportunity to acquire” changed to “exposed to, or suspected to be exposed to” to parallel language in other definitions.
- Subsection (27) — “seeking voluntary compliance would be unduly risky” definition remove; no longer necessary because of language changes in the rule.
- Subsection (31) — definition of “suspected case” or “suspected to be infected” changed to reflect local health officer’s professional discretion.

246-100-036 Responsibilities and duties—Local health officers

- Subsection (1) — “in concert with” is changed to “in consultation with”; “deemed necessary” is changed to “he or she deems necessary,” and “in accordance with WAC 246-100-040” is struck.
- Subsection (2) — section is expanded to incorporate, with changes, language that had been 246-100-040(1).
- Subsection (4) — “with tribal governments and state agencies” is changed to “with tribal governments, with federal or military facilities, or with state agencies” to empower LHO to make agreements with federal enclaves.

246-100-040 Procedures for isolation and quarantine

- Subsection (1) — section eliminated and most of its language moved to 246-100-036(3) because it is more appropriate under that heading.
- Remaining subsections reorganized to differentiate the different hearings to make process clearer.
- Standard of proof changed to “clear, cogent, and convincing” for a 30-day hold, and to “reasonable basis” for other hearings.
- Subsection (10) — HIV added to list examples

246-100-045 Conditions and principles for isolation and quarantine

- Language changes clarify discretion of local health officer.
- Subsection (9) — no longer specifies that right to rely on spiritual means restricted to established and recognized religions.

246-100-045 Conditions and principles for isolation and quarantine

- Establishes right to government-funded attorney for indigents.

246-101-045 Conditions and principles for isolation and quarantine

- Subsection (8) — now references chapter 246-100 WAC and not just section 040 of that chapter.